

CUSTOMER NO.:
34456**REMARKS**

This is in response to an Office Action mailed December 27, 2005, in which claims 1-20 were pending. With this response, claims 1 and 11 are amended. In light of the amendments and in view of the arguments presented below, Applicants respectfully request withdrawal of all rejections and request allowance of the application.

1. In response to the rejection of claims 1 and 11 under 35 U.S.C. §112, second paragraph, the word “the” before “functionality” has been deleted. With this amendment, the rejection of claims 1 and 11 is overcome and should be withdrawn.
2. Applicants traverse the rejection of claims 1-2 and 11-12 under 35 U.S.C. §103(a) over U.S. Patent Publication No. 2002/0049806 (“Gatz”) as modified by the Examiner; the rejection of claims 2, 4, 6, 8, 9, 12, 14, 15, 18 and 19 under 35 U.S.C. §103(a) over Gatz in view of Parental Control Software by CSS Software (“CSS-Software”); the rejection of claims 3, 5, 7, 10, 13, 15, 17 and 20 under 35 U.S.C. §103(a) over Gatz in view of CSS-Software and Plugin for AOL Instant Messenger (“MyIM”).

The Office Action alleges that Gatz teaches a system and method for account based access control system allowing the holder of one account to control the ability of one or more other account holders to access information in an information network. See *Office Action*, p. 4. More particularly, Gatz describes an access server that controls use of services in an account-based access server and that includes a database of users, where users are identified as parents with parent accounts, as children with child accounts, and as familial roles within family accounts. See *Gatz*, p. 2, para. 0015. The server includes logic to limit access to a user using the child account. See *Gatz*, Abstract.

In the previous response, Applicants stated:

Gatz ... fails to disclose or suggest communicating information from the profile to the client device to modify the functionality of the client device to comply with at least one policy in the profile, as recited in claims 1 and 11. (Emphasis added)

Applicant's Previous Response, p. 6, lines 21-24.

CUSTOMER NO.:
34456

A similar statement is also provided on page 6, lines 13-15 in relation to claim 1.

In response to Applicants' statement, the Office Action asserts that "[A]pplicant is arguing a limitation not claimed by the applicant." *See Office Action*, page 2, lines 16-17. Applicants would like to direct the Examiner's attention to lines 9 and 10 of claim 1, which state verbatim the emphasized language taken from the previous response. Thus, in regards to claim 1, the previous argument was fully supported in the body of claim 1.

In the previous response, Applicants stated:

neither reference discloses a second server to communicate information from the profile to the client device to modify the functionality of the client device to comply with at least one policy in the profile, as recited in claim 11. (Emphasis added)

Applicants' Previous Response, p. 6, lines 15-16.

The emphasized language is stated verbatim in claim 11. Thus, the statement in the Office Action at page 2, lines 21-24, is incorrect. The previous argument with regard to claim 11 was fully supported by the claim language. Accordingly, the assertions in the Office Action at page 2 are incorrect.

The Office Action further states:

[A]pplicant has not claimed the limitation that the profile is received and stored on a device other than the client device as claimed in the limitation.

Office Action, p. 2, lines 17-18.

Applicants agree that the storage location of the profile has not been claimed. For that matter, Applicants, in the previous response, did not present any comments related to storing a profile or a profile that is stored in specific relation to claims 1 and 11.

In response to the Office Action at page 3, lines 6-12, Applicants direct the Examiner to the last element of each of the claims 1 and 11, which recite verbatim the element that the Office Action alleges was not claimed.

CUSTOMER NO.:
34456

Turning to the rejection at page 4 of the Office Action, Applicants note that the September 6, 2005 Office Action acknowledged that Gatz does not explicitly teach “communicating information from the profile to the client device...” *See September 6, 2005 Office Action*, p. 4. Moreover, the September 6, 2005 Office Action acknowledged that Gatz does not explicitly teach receiving a profile created by a parent or guardian. *See September 6, 2005 Office Action*, p. 3.

The Office Action asserts that Gatz teaches the following:

communicating information from the profile to the client device to modify the functionality of the client device to comply with at least one policy in the profile [0015, 0077, Fig. 13 and disclosure associated with Fig. 13].

Office Action, p. 6, lines 1-3.

However, Gatz controls the “use of services in an account based access server.”

See Gatz, para. 0015. Gatz states:

[0015] The access server includes logic for verifying parental status of a parent account with respect to a child account and logic for limiting access to a user using a child account that is associated with a family account, where such limitations are determined, at least in part, based on selections made by a user of a parent account associated with the family account.
(Emphasis added)

Gatz, p. 2, para. 0015 (emphasis added).

Thus, the access server of Gatz limits access to the child account. In relation to FIG. 13, Gatz further states:

[0077] FIG. 13 illustrates a user interface 170 presented to either a parent signed in as a child, or the child itself, which indicates that the holder's use of the child account is limited. For example, children under a certain age, such as 12 years old, might not be allowed certain features, such as public profiles or directory listings. Other preferences a parent might be allowed to edit are preferences that indicate whether or not the child account will receive targeted email or special offers. Notice 172 reminds the controlling parent that the parent is currently signed into a child account so that inadvertent access is not made available to a child. (Emphasis added)

Gatz, p. 7, para. 0077 (emphasis added).

CUSTOMER NO.:
34456

In view of the user interface illustrated in FIG. 13 and the related description, Applicants submit that Gatz communicates information to provide a notice 172 or other informational content, which is displayed to the user. However, Gatz fails to disclose communicating information from the profile to the client device to modify functionality of the client device to comply with at least one policy in the profile, as recited by claims 1 and 11. In direct contrast, the communicated information of Gatz does not modify the functionality of the client device. Therefore, Gatz fails to disclose or suggest at least one element of the independent claim 1.

For clarity, the receiving a request and receiving a profile steps of claim 1 have been amended to positively recite that these steps are at a server.

Moreover, the Office Action acknowledges that "Gatz does not explicitly teach receiving a profile, created by the parent or guardian using the Web-based profile administrator interface." *See Office Action*, p. 5. The Office Action asserts that it would have been obvious to modify Gatz to include a web-based owner interface to receive an account profile for the owner to create an account for additional users. *See Office Action*, p. 5.

Claim 11 recites a second server to communicate information from the profile to the client device to modify functionality of the client device to comply with at least one policy in the profile. As discussed above, Gatz fails to disclose or suggest a second server to communicate information from the profile to the client device to modify functionality of the client device to comply with at least one policy in the profile. Therefore, Gatz fails to disclose at least one element of claim 11.

Gatz as modified by the Examiner fails to disclose or suggest at least one element of each of the independent claims 1 and 11. Accordingly, the rejection of claims 1 and 11 should be withdrawn. Claims 2-10 and 12-20 depend from one of the allowable claims 1 or 11. Therefore, the asserted combination of Gatz as modified by the Examiner

CUSTOMER NO.:
34456

fails to disclose or suggest at least one element of each of the dependent claims 2-10 and 12-20, at least by virtue of their dependency from claims 1 and 11.

The Office Action rejects additional limitations in claims 2-10 and 11-20 using Parental Control Software by CSS Software ("CSS-Software") and Plugin for AOL Instant Messenger ("MyIM"). Neither of these references teaches the above identified deficiencies in Gatz.

Turning to the rejection on pages 6-8, the Office Action acknowledges that, with regard to claims 2 and 12, Gatz does not teach using a policy engine of the client device to limit usage of the IM service to the minor based on the at least one policy (*See Office Action*, p. 6, lines 8-10); with regard to claims 4 and 14, Gatz does not explicitly teach using a policy engine of the client device to inhibit usage of the IM service to the minor based on the at least one policy (*See Office Action*, p. 6, lines 15-17); with regard to claims 6 and 16, Gatz does not explicitly teach using a policy engine of the client device to allow usage of the IM service to the minor based on the at least one policy (*See Office Action*, p. 7, lines 4-6); with regard to claims 8 and 18, Gatz does not explicitly teach at least one policy indicates specific times when messages from members of a buddy list for the minor are to be blocked and allowed (*See Office Action*, p. 7, lines 11-13); and, with regard to claims 9 and 19, Gatz does not explicitly teach at least one policy indicates specific times when message from anyone not in a buddy list for the minor are to be blocked or allowed (*See Office Action*, p. 8, lines 1-3). Thus, the Office Action asserts it would have been obvious to modify Gatz as taught by CSS-Software to allow parents to control how and when a computer is used. *See Office Action*, pp. 6-8.

The rejection on page 6 of independent claims 2, 4, 6, 8, 9, 12, 14, 15, 18 and 19 does not specifically address claim 15 in the body of the rejection. However, the rejection on page 8 does address dependent claim 15. Accordingly, the rejection of claim 15 is addressed below in the remarks specific to the rejection on page 8 to independent claims 3, 5, 7, 10, 13, 15, 17 and 20.

CUSTOMER NO.:
34456

The document identified as CSS-Software is an Internet printout of a web page that appears to have a print date of 12/20/05. Also, the Examiner has alleged that a sequence of numbers within the uniform resource locator information at the bottom of the first page constitutes a date of June 20, 2003. Applicants submit that the identified sequence of numbers may be random and not a date. The only actual dates in the web page are the print date of 12/20/05 and the copyright date of 2003. Therefore, it is not clear that the cited web page is prior art to the present application.

Nevertheless, the Internet pages of CSS-Software is an offer describing various features of the Software application. Some of the features include control of access to a computer controlled by a windows schedule, multiple user support with access policies, program access control, internet access control, password protect changes to Windows date and time, and an administration password to prevent the software from being disabled or uninstalled. *See CSS-Software*, pp. 1-3.

Control of IM services and buddy lists are not mentioned in CSS-Software Internet pages. Moreover, in regards to claims 2, 4, 6, 8, 9, 12, 14, 18 and 19, CSS-Software fails to disclose or suggest communicating information from the profile to the client device to modify functionality of the client device to comply with at least one policy in the profile, as recited in claims 1 and 11. Thus, the asserted combination of Gatz and CSS-Software fails to disclose or suggest at least one element of the dependent claims 2, 4, 6, 8, 9, 12, 14, 18 and 19, at least by virtue of their dependence from one of the independent claims 1 or 11.

Furthermore, Applicants submit that Gatz is directed to limiting access to an access server wherein the access server includes a database of users. The users in the database are identified as parents with parent accounts, as children with child accounts, and as familial roles within family accounts. *See Gatz, Abstract*. By contrast, the parental control software of CSS-Software is installed on the user's computer to limit access to the computer by setting schedules and time limits on when the Windows operating system or specific applications can be accessed. *See CSS-Software*, pp. 1-3. However, parental

CUSTOMER NO.:
34456

control functionality of the CSS-Software provides control at the device but does not receive a profile from the system to control the functionality of the device.

Accordingly, Gatz the and CSS-Software fail to disclose or suggest communicating information from the profile to the client device to modify functionality of the client device to comply with at least one policy in the profile, as recited in independent claims 1 and 11.

Therefore, the asserted combination of Gatz and CSS-Software fails to disclose or suggest at least one element of each of the dependent claims 2, 4, 6, 8, 9, 12, 14, 18 and 19, at least by virtue of their dependency from one of the independent claims 1 or 11. Accordingly, the rejection of claims 2, 4, 6, 8, 9, 12, 14, 18 and 19 should be withdrawn.

Turning to the rejection on pages 8-9, the Office Action acknowledges that Gatz does not teach a plug-in for an instant messaging client (*See Office Action*, p. 8, lines 13-14 and p. 9, lines 1-2.) The Office Action further asserts that it would have been obvious to combine Gatz, CSS-Software and MyIM to customize Instant Messaging beyond its current features.

On page 9, the Office Action further acknowledges that, with regard to claims 10 and 20, Gatz fails to disclose or suggest collecting information for a log of actions taken by the client device to comply with the at least one policy. *See Office Action*, p. 9, lines 7-8. The Office Action asserts that it would have been obvious to modify Gatz as taught by MyIM to keep a log of user actions to enable parents to review usage of systems by children at a later time. *See Office Action*, p. 9.

The two Webpages identified as MyIM describe features of the AOL Instant Messenger. Some of the features mentioned include optional IM/Chat logging, Cloning and customization of a buddy list. *See MyIM*, p. 1. The Webpage News Release describes a plugin available on the Internet. However, MyIM fails to disclose or suggest communicating information from the profile to the client device to modify functionality

CUSTOMER NO.:
34456

of the client device to comply with at least one policy in the profile, as recited by claims 1 and 11. Thus, the asserted combination of Gatz, CSS-Software and MyIM fails to disclose or suggest at least one element of each of the independent claims 1 and 11. Therefore, the asserted combination fails to disclose or suggest at least one element of each of the dependent claims 3, 5, 7, 13, 15 and 17.

In regards to claims 10 and 20, the MyIM Webpages describe IM/Chat logging. However, Gatz and MyIM fail to disclose or suggest collecting information for a log of actions taken by the client device to comply with the at least one policy, as recited in claims 10 and 20.

Therefore, the asserted combinations fails to disclose or suggest at least one element of each of the dependent claims 3, 5, 7, 10, 13, 15, 17 and 20. Accordingly, the rejection of claims 3, 5, 7, 10, 13, 15, 17 and 20 should be withdrawn.

CONCLUSION

Applicants have pointed out specific features of the claims not disclosed, suggested, or rendered obvious by the references applied in the Office Action. Accordingly, Applicants respectfully request reconsideration and withdrawal of each of the objections and rejections, as well as an indication of the allowability of each of the claims now pending.

Any changes to the claims in this amendment, which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

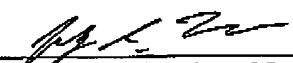
The Examiner is invited to contact the undersigned attorney at the telephone number listed below if such a call would in any way facilitate allowance of this application.

CUSTOMER NO.:
34456

The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

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Date


Jeffrey G. Toler, Reg. No. 38,342
Attorney for Applicant(s)
TOLER, LARSON & ABEL, L.L.P.
5000 Plaza On the Lake, Suite 265
Austin, TX 78746
(512) 327-5515 (phone)
(512) 327-5452 (fax)

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